

FISCAL NOTE
HB 3046 - SB 3164

March 11, 2004

SUMMARY OF BILL: Requires a health care provider to notify a law enforcement officer investigating a collision when the provider has reasonable belief that a person the provider is treating was the operator of a vehicle in the collision and tests performed in the course of medical treatment show that the alcohol concentration in the person's blood is 0.08% or more or the person's blood or urine contains one or more drugs that would impair their ability to operate a motor vehicle. Provides for the provider to notify the local law enforcement agency where the collision occurred if there is no officer present at the health care facility. Specifies that the health care provider shall be immune from civil liability for providing this notice to law enforcement.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$50,000 / Incarceration*

Increase Local Govt. Expenditures - Not Significant

Increase Local Govt. Revenues - Not Significant


Estimate assumes:

- five additional convictions for vehicular assault, a Class D felony, based upon 50 convictions each year for vehicular assault increasing by 10% where the blood/alcohol content or urine test indicating drugs of a driver in a collision is reported by a health care provider to a law enforcement agency.
- impact to local governments depends upon the number of persons convicted of DUI as a results of these provisions and the resulting increase in cost to local government to confine such persons versus the increased revenues to local government from fines levied and collected under the provisions of the bill.
- most persons involved in accidents resulting in a death are currently compelled to take a blood/alcohol content test which would be admissible into evidence.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

